

BOARD OF PARK COMMISSIONERS

REGULAR MEETING

Monday, June 8, 1998

Present: June Bailey, Lucy Burtnett, Pat Consolver, Bob Martz, M.S. Mitchell, Leon Robinson, William Sanders

Also Present: Terry Smythe, Baughman Co.; Charles McAfee, J.M. Limited; Doug Moshier, Law Department; Terry Kollmai, Property Management; and Maryann Crockett, Larry Hoetmer, Vince Kendrick, Janice McKinney, and Tim Vanatta (staff)

President Burtnett called the meeting to order at approximately 3:30 p.m. The minutes of the special meeting of April 20, 1998, were reviewed and approved. Burtnett announced that there was an Off-the-Agenda Item which was a Business Plan from Hoop City, Inc. to lease five to ten acres of land from the City at 27th and Hillside.

1. **Discussion of sale of land at 27th and Hillside to J.M. Limited** Burtnett opened the meeting for public comment. She asked individuals to give their name and address and limit their comments to three minutes. The following individuals spoke:

- **Frances A. Crowley**, 5706 E. 20th - referred to City Council Proceedings dated 8/20/91 concerning a real estate purchase contract for the Heritage Apartment Tract between the City of Wichita and M.S. Development Company (Charles McAfee and Willie Sanders). She said she assumed, since Mr. Sanders had not disqualified himself from the present proceedings, that he no longer had any interest in that property. She further asked about development of the entrance to Grove Park and the possibility of establishing a connecting corridor from Grove Park to Woodlawn.

President Burtnett clarified for the record that the Heritage Apartment transaction involved Mr. Sanders' son, not Mr. Sanders.

- **Glen Dey**, 4515 Greenbriar - stated that the Northeast Heights Neighborhood Association opposed the sale of land at Grove Park primarily because they wanted to maintain the continuity from Chisholm Creek Park to Grove Park. He commented that the Pioneer Balloon Company had disrupted some of the aspects of Chisholm Creek Park and that it seemed like another entity was coming into the area and diminishing park resources.

- **Charles McAfee**, J.M. Limited - stated that he was requesting 38 acres to meet his company's expanding manufacturing needs. He said they researched several other privately and publicly owned properties before coming up with the 27th and Hillside location. He referred to a drawing of the proposed site. He stated that the alternate offer made by the Park Board to sell approximately half of the proposed site would not work with the project design. He suggested the possibility of the City opening up the north portion of the area along Hillside for park expansion. He mentioned his donation to the McAdams Park tennis program and commented that he thought the Park Board should be spending their time exploring ways to obtain donations to run recreation programs in parks that need them as opposed to holding on to a bunch of ground.

- **Bobbie Humphrey**, 8406 E. Harry - stated that thirty years ago when the neighborhood was begging for a park in the area, the City had a reason why a park could not be developed. She said now, when the neighborhood says they need jobs, for some reason that is a problem. She appealed to the Board to consider people who have spent their lives struggling for opportunities to be able to support and take care of themselves.

- **Bill Fox**, President, Riverside Citizens Association (RCA), 701 Litchfield - stated that the issue was not economic development, new jobs or a compromise to sell eighteen acres. He said the issue was whether or not the City should sell land that has been designated for park use to a private developer for other use. He said he was opposed to any City park land being sold to developers. He said the City needed park land city-wide and particularly in the northeast area. He added that money had been set aside in the Capital Improvement Program (CIP) to develop Grove Park.

- **Mary Jo Bond**, 4024 Sharon - urged the City to stick with the original intention and keep the land for park development. She said she felt parks were more than just ball fields, they included plants, wildlife, nature trails, green-open spaces and fresh air.

- **Terrell Florence**, 2665 E. 8th - appealed to the City to put people first. He said he feels that what is needed most is an opportunity for young people to learn a viable skill and earn good wages and benefits so they can achieve a higher quality of life. He said Mr. McAfee's proposal provides that opportunity. He concluded by saying that there was enough land in the area to expand the park and build the manufacturing facility.

- **James Roseboro**, President, Northeast Heights Neighborhood Association, 4518 Greensborough - said he felt selling park land was unethical. He said he knew the northeast area needed jobs, but it was the wrong land in the wrong place. He suggested the City help Mr. McAfee locate other City owned land for the manufacturing facility. He said the City needed to follow through on the original proposal to use the land for park purposes.

- **Larry Ross**, Chair, Southwind Sierra Club, 346 N. Bluff - asked why the City would consider using a "green field" for industrial purposes when there were numerous "brown fields" throughout the City. He described "brown fields" as former industrial sites with pollution problems. He said a "green field" was an area that had not been contaminated. He commented that improvement/development of Grove Park was in the new CIP. He added that since there was no other industry in the immediate vicinity, locating the facility in that area would be setting a bad precedent. He concluded by saying that park land should remain park land.

- **Carol Switzer**, 139 Brandywood - commended the Park Board on their earlier decision not to sell park land. She said as a member of the Medical Society Environmental Committee she understands the importance of green spaces and outdoor exercise areas. She said she believes the City is short of park land. She said the area in question is part of a long planned trail system that would connect with other parks and bike paths and that the City should follow through on the long-range plan.

- **Titus James**, Pastor, North Heights Christian Church, 2707 N. Grove - said he believes Mr. McAfee's proposal can work hand in hand with the community and with the City's future plans for development of Grove Park. He said the proposal does not interfere with the City's ability to expand Grove Park. He said this was an opportunity for something for the community, both park wise and industry wise. He said there was a job shortage in the northeast community and that it was good to have jobs located in the neighborhood. He mentioned his concern regarding the traffic on Grove Street during football games due to the fact that it was the only entrance/exit to Grove Park. He concluded by encouraging the Park Department and industry to cooperate and work together.

President Burnett commented that there was money allocated in the 2001 CIP for improvements to

Grove Park.

Sanders said he wanted to go on record as saying that the neighborhood being discussed was his neighborhood; that he was born and raised there sixty-one years ago and that he's still over there everyday. He said it really makes him mad when people come into his neighborhood and tell him what is best for the neighborhood. He said the neighborhood needs something developed on that site. He added that the City cannot take care of the parks they have now.

There was discussion concerning CIP and Community Development Block Grant (CDBG) funds. Director Vanatta clarified the parcels of land the City had purchased for park purposes from other City owned property in the area. He further commented that he thought the original purpose of the park land purchases was to develop a hike/bike trail that would eventually link Grove Park and Chisholm Creek Park, a five-plex softball diamond and additional soccer fields. He commented that the City has entered a public/private partnership to build a softball/soccer complex at 29th St. North and Greenwich Rd.

Burnett stated that in her opinion the purpose of the Park Board, whose members are appointed by their respective city council member, is to perpetuate and preserve open space for the citizens of Wichita. She said the Board is charged with the task of looking at long-range planning of the overall park system. She said selling park land, be it Grove Park, or any other park in the City or land designated as park land goes completely against the grain of the challenge the Board was appointed to meet. She said no one is denying that jobs are important to the citizens of Wichita, but she felt this particular project could, with creative planning, be done on property other than park land, thus preserving a just as important entity in the community -- open space. She said whether this park land is developed in the next year, five years or ten years, it is important land that is meant for the citizens of Wichita, not for a manufacturing plant. She said she was confident that the City of Wichita and Mr. McAfee could come up with an alternate site that would suit both parties.

Burnett stated that the Board's recommendation in April was to compromise and let Mr. McAfee purchase the lower half of the land in question. She said Mr. McAfee said that was unacceptable, that it was all or nothing. She said at the last Board meeting in May, the Board was again asked to look at the matter. She said at that meeting the Board opted to take no further action so that the Board's compromise and recommendation still stood. She said apparently that was still unacceptable to Mr. McAfee, since he has had two months to accept the offer and has not. She said that if it was an all or nothing sale, she knew selling the whole property was not an option with the Board.

Burnett said with all that in mind, she would like to suggest that the Board rescind the first recommendation made at the April meeting and replace that recommendation with the following motion:

Burnett moved that none of the park land be sold and that a concerted effort to help Mr. McAfee find an appropriate location, other than park land, for this project be pursued by the City Manager's office. Second by Martz.

Mitchell made the following substitute motion: 1) That the Board of Park Commissioners agrees to sell

that portion of land lying south of 28th Street North in Chisholm Creek Terrace Addition (or Conquest North Subdivision, if that is the correct name) extended east to Hillside Avenue. This parcel would be Phase I of Mr. McAfee's manufacturing plant and employee housing/day care campus. If, in a reasonable length of time, when the needs of McAfee manufacturing for expansion and the needs of the Board of Park Commissioners to serve the community in the Grove Park area are better known, the Board of Park Commissioners would accept a proposal to acquire more of the original 38 acres requested. 2) That the Board of Park Commissioners recommend strict enforcement of the provisions of the development agreement provided as Item 5 in the information package titled "Request to Purchase Property at 27th and Hillside". 3) That the Board of Park Commissioners request that any funds realized from the sale of any property requested be added to the CIP funds for Grove Park to immediately construct an access road to connect the existing parking lot in Grove Park with Hillside Avenue, and to install lighting for and to expand the football and softball fields in Grove Park. Second by Sanders.

Bailey asked how much acreage was in Phase I. Mitchell said approximately 18.4 acres. Director Vanatta requested that staff define the 18.4 acres on the map. Martz requested clarification of the motion.

Burnnett called the question on the substitute motion. Motion failed 5-2. Bailey, Burnnett, Consolver, Martz and Robinson - No. Mitchell and Sanders - Yes.

Burnnett called the question on the original motion. Motion passed 6-1. Bailey, Burnnett, Consolver, Martz, Mitchell and Robinson - Yes. Sanders - No.

2. **Request for Drainage Easement at South Lakes Park and Easements for Southwestern Bell Equipment at other locations - Baughman Co.** Terry Smythe from Baughman Co. introduced himself. He mentioned the discussion at the May Board meeting of installation of a grate on the proposed drainage pipe at South Lakes Park. He referred board members to pictures he had taken of the proposed drainage easement. He reviewed the riprap and the landscape screening that was planned.

On motion by Mitchell, second by Burnnett, IT WAS UNANIMOUSLY VOTED to approve the easement as drafted with the addition of the grate and landscaping plan.

West Maple and 119th Street. Smythe introduced Greg Sharpe from Southwestern Bell. He explained that Southwestern Bell hires Baughman Co. to help them locate splice boxes and acquire right-of-way for cable. He referred board members to a map of the first proposed site which was located at West Maple and 119th Street. He said there was thirty feet of half street right-of-way running east and west along Maple between Firefly St. and the Vyne Addition. He said traditionally, the City takes fifty feet of half street right-of-way to allow utilities and road expansion. He said they were asking for dedication of the additional twenty feet in the area referenced for Southwestern Bell or other utilities to use. Mitchell asked if there were any improvements in that twenty feet. Smythe said no.

On motion by Mitchell, second by Burnnett, IT WAS UNANIMOUSLY VOTED to recommend that the City accept the offer to dedicate twenty additional feet of street right-of-way between the Maple

Valley and Vyne Additions, on the south side of Maple Street.

135th Street South. Smythe referred board members to a map of the site and pointed out the proposed maintenance area for the Auburn Hills Golf Course currently being developed. He said Southwestern Bell is requesting a 20' X 20' utility easement to install a fiber optics cable splice box. He said Southwestern Bell prefers to have the boxes off the right-of-way because of the cost of installation and maintenance/repair. He mentioned that the boxes were usually climate controlled.

There was brief discussion. Sharpe explained that the cabinet will sit on a concrete pad approximately 8' X 12' in size. Burtnett asked if Baughman had checked with the developer. Mitchell asked if they had checked with the City's golf course superintendent.

On motion by Mitchell, second by Bailey, IT WAS UNANIMOUSLY VOTED to approve the proposed easement subject to staff and Southwestern Bell working out any logistical problems.

13th and Market. Smythe referred board members to a picture of the site on the northwest corner of 13th and Market. He explained that Southwestern Bell was requesting a 20' X 20' utility easement to install another fiber optics cable splice box which was approximately 40" X 54" X 12" in size. He said in addition, they would also install a power transformer and another box 12" X 12" X 36".

The Board discussed installing the box so that it would not create a visual obstruction at the corner. Mitchell asked about landscaping. It was suggested that Larry Hoetmer, Landscape Architect, meet with Southwestern Bell representatives concerning landscaping the area.

On motion by Mitchell, second by Bailey, IT WAS UNANIMOUSLY VOTED to approve the proposed easement subject to staff and Southwestern Bell working out a landscaping plan.

Mitchell also stated that if the box was not installed parallel to Market, the Board needed to be informed.

18th and Ferrell. Smythe referred board members to a survey map of the proposed site. He said Southwestern Bell was requesting a 20' X 20' easement for installation of a box and a 10' access easement across the gravel parking lot off of 18th. Smythe explained that they attempted to find a location that was away from the River, the 18th Street right-of-way and the parking lot, but that would provide easy access for equipment maintenance/repair. He referred board members to the park land property line and mentioned that several of the neighbors had built fences that encroached on park land.

On motion by Mitchell, second by Bailey, IT WAS UNANIMOUSLY VOTED to approve the proposed easement and access easement provided that the access easement was located underground.

Smythe stated that they would provide the necessary legal descriptions, surveys and easement documents for the three locations discussed -- 135th Street South, 13th and Market and 18th and Ferrell.

3. **Review of the Approved Park and Recreation Capital Improvement Program.** Director Vanatta said the City Council had approved funding for 1998/1999 CIP. Burtnett mentioned the

Riverside Park System Master Plan and stated that the Board needed to assign dollar amounts to the master plan projects that were prioritized in order to get funding put back in the CIP. She also mentioned the need for a developmental plan for Grove Park.

Bailey said she has received several calls concerning the lack of lights at Grove Park and asked if there was a way to move up the CIP lighting project. Director Vanatta said the lights had been vandalized just recently and that Park and Public Works staff have made repairs within the last few days. There was also discussion concerning developing an entrance/exit to the park from Hillside.

Mitchell asked what role the Board of Park Commissioners had with regard to the planning, design and opening of the former landfill areas such as Brooks Landfill/Kingsbury Tract and Chapin Landfill. Director Vanatta said staff would research recreational needs in the surrounding neighborhoods and that the Board would be involved in that process.

OFF-THE-AGENDA ITEMS

1. **Discussion of Hoop City, Inc. Proposal.** Martz commented that he thought the Hoop City, Inc. proposal was conducive to what the Board was trying to accomplish in the area of recreation. He said the program emphasizes academics and establishes a good indoor basketball facility. Burnett suggested that the Board review the proposal thoroughly before discussion.

OTHER ITEMS

- Burnett briefly mentioned an article that appeared in the *Wichita Eagle* concerning students at Washington Elementary School cleaning up Murdock Park. She commented that she had written a thank you letter to the school and would also send a copy of the *Wichita Eagle*.
- Robinson mentioned a phone call he received concerning the boats at Watson Park.
- Bailey mentioned that she received a complaint from Jack Patton concerning how the Park Department operates the soccer fields and condition of the fields. She said she asked Mr. Patton to put his concerns in writing.

There being no further business, the meeting adjourned at approximately 5:45 p.m.

Lucy Burnett, President

ATTEST:

Maryann Crockett, Clerk